

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

CLEOPHUS A. COLLIER, DARRIUS D.
MASON, LARRY J. MASON,

Defendants.

4:12CR3041

MEMORANDUM AND ORDER

Defendant Larry Mason has moved to continue the pretrial motion deadline, (filing no. 47), and the trial of this case, (filing no. 46), because defense counsel needs additional time to fully review the discovery received before deciding if pretrial motions should be filed. Counsel for the government does not oppose the requested continuance. Based on the showing set forth in the motion, the court finds the motion should be granted.

IT IS ORDERED:

- 1) Defendant Larry Mason's motion to continue the pretrial motion deadline, (filing no. 47), is granted.
- 2) As to all defendants, pretrial motions and briefs shall be filed on or before June 25, 2012.
- 3) Defendant Larry Mason's motion to continue the trial, (filing no. 46), is granted.
- 4) As to all defendants, trial of this case will commence on August 21, 2012 before the Honorable John M. Gerrard for a period of four (4) trial days. Jury selection will be held at the commencement of the trial.
- 5) The ends of justice served by granting the motions to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of granting the motions, the time between today's date and August 21, 2012, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into

consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

Dated this 12th day of June, 2012.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge